

DOCKET NO.: MSFT-0092/127334.4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 13 2006

In Re Application of:

Marcus Peinado et al.

Confirmation No.: 7394

OFFICE OF PETITIONS

Application No.: 09/482,725

Group Art Unit: 3661

Filing Date: January 13, 2000

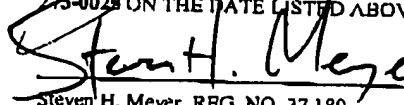
Examiner: Nguyen, Cuong H.

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CERTIFICATE OF FACSIMILE TRANSMISSION

DATE: March 13, 2006

I HEREBY CERTIFY THAT THIS PAPER IS BEING
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273-0028 ON THE DATE LISTED ABOVE.



Steven H. Meyer REG. NO. 37,189

Mail Stop 313(c)
Commissioner for Patents
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Alexandria, VA 22313-1450

PETITION TO WITHDRAWAL FROM ISSUE (37 CFR § 1.313 (c))

1. Applicant hereby petitions for the withdrawal of this application from issue.
2. The issue fee for this case was paid on **February 28, 2006**.
3. This application is scheduled to
 - ☐ issue on _____ as patent number _____
 - ☒ Based on information received from the Publication Division no issue date has been set for this application as of the date of the date of the Request for Withdrawal.
4. The reason for the request for withdrawal from issue is:
 - ☒ consideration of a request for continued examination is being filed concurrently herewith.

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01 FC:1464 130.00 DA
02 FC:1051 130.00 DA

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PATENT

- ☐ one or more of the claims are unpatentable.
- ☒ other. Supplemental Declaration and Power of Attorney.

After having paid the issue fee for the above application, it has been discovered that the application is defective because a proper declaration was never submitted.

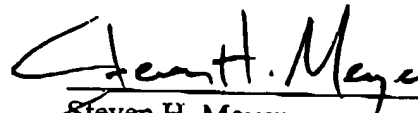
In particular, the present application was filed as a continuation of the parent application thereof with a copy of the parent application and the executed declaration of the parent application, a preliminary amendment with a new set of claims, and an unexecuted supplemental declaration that correctly stated inventorship. The supplemental declaration dropped four inventors from the parent and added one. An executed copy of the supplemental declaration was never submitted.

Accordingly, the present petition to withdraw the application from issuance is filed along with an RCE (enclosed), where the submission of the RCE is the executed supplemental declaration (also enclosed in multiple parts).

The petition fee (37 CFR § 1.17 (i)) is paid as follows:

- ☐ A check in the amount of \$130.00 is attached.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of \$130.00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.

Date: March 13, 2006


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